

determine the position of landmarks in satellite images using digitized maps while Szeliski stitches together a plurality of images to construct a continuous mosaic image. A person of ordinary skill in the art would not be motivated to combine the teachings of the references.

3 The Examiner conclusorily asserts that it would have been obvious to a person of ordinary skill in the art to combine the references in order to provide Szeliski with an upsampling capability; however, the Examiner does not identify any recognition of any such need in either reference. The Examiner has not provided any objective reason to combine the references.

A statement that modifications of the prior art to meet the claimed invention would have been well within the ordinary skill of the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. See MPEP 2143.01 quoting Ex parte Levensgood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). The Office Action merely stated that the reference can be modified, which Appellants contend to the contrary, and does not state any desirability for making the modification. In other words, the Office Action failed to supply any objective reasons to modify the applied reference. Accordingly, the Examiner is requested to identify where, in either reference, there is a teaching or suggestion of the asserted combination.

4 → Further, Eppler is directed not to aligning interpolated video frames, but to determining a match between a predicted landmark from a geographic information system, e.g. worldwide, seamless, thematic, vector maps input to a common mapping tool kit to generate that icon representing a 12 line by 21 pixel image, and an actual landmark in an image patch. There is no alignment of interpolated, upsampled, and extracted video frames in the Eppler reference as claimed in claim 1.

Further still, with respect to the creation of a single image from the aligned video frames, Eppler is directed to a system for automatically determining the position of landmarks in digitized images from satellite-based images. That is, Eppler uses digitized images to identify landmarks in satellite images. There is no creation of a single image using the aligned video frames as claimed in claim 1. Szeliski does not identify landmarks in images and a person of skill in the art would not be motivated to combine Szeliski with

Eppler.

With respect to the order of steps, as discussed in the present specification, the order of steps is specified as the image enhancement process must “require minimal computer processing capability.” Specification page 2, lines 16-18. At page 11, lines 3-10, the value of minimizing processor and memory requirements is identified. By first upsampling the images, less memory and processor capability are required.

For any of the above reasons, the invention as claimed in claim 1 is patentable over the applied combination of references and the rejection should be withdrawn. Claims 2-19 depend, either directly or indirectly, from claim 1 and are patentable over the applied combination of references for the reasons advanced above with respect claim 1, include further import limitations, and the rejection should be withdrawn. Independent claims 20-22 are patentable for reasons similar to those advanced above with respect to claim 1 and the rejection should be withdrawn.

The rejection of dependent claims 2-19 is now addressed ad seriatum.

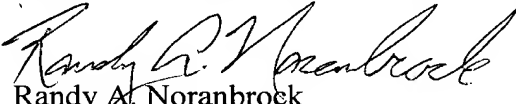
With reference to claims 5, 12, and 19, the examiner argues that extracting the sequence of video frames at 30 frames per second is inherent because this rate is standard in video/television systems. However, the examiner has not identified any reference teaching extraction of a sequence of video frames, nor the extraction of such frames at 30 frames per second. Further specifically, neither applied reference teaches using a video/television system capturing sequences of video frames at 30 frames per second.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, please charge any shortage in fee due in connection with this filing to Deposit Account No. 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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